

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

JEAN CHACON ELIAS,

Plaintiff

Case No. 2:23-cv-00598-APG-VCF

**ORDER**

v.

STATE OF NEVADA, et al.,

Defendants

**I. DISCUSSION**

On April 17, 2023, Plaintiff, an inmate in the custody of Clark County Detention Center (“CCDC”), submitted a one-page complaint. (ECF No. 1-1). This one-page complaint does not include all the information necessary in a complaint, nor does it include Plaintiff’s signature, as required by Federal Rule of Civil Procedure 11(a). Plaintiff did not file an application to proceed *in forma pauperis* or pay the \$402 filing fee.

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$402, which includes the \$350 filing fee and the \$52 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. Loc. Special R. 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. Special R. 1-2. *In forma pauperis* status does not relieve an inmate of his or her obligation to pay the filing fee, it just means that the inmate can pay the fee in installments.

1 See 28 U.S.C. § 1915(b).

2 The Court will grant Plaintiff an opportunity to file a complete complaint, including  
3 his signature, and a fully complete application to proceed *in forma pauperis* containing all  
4 three of the required documents, or in the alternative, pay the full \$402 filing fee for this  
5 action on or before **June 23, 2023**.

6 **II. CONCLUSION**

7 For the foregoing reasons, it is ordered that Plaintiff will submit a complete  
8 complaint, including his signature, to this Court on or before **June 23, 2023**.

9 It is further ordered that the Clerk of the Court will send to Plaintiff the approved  
10 form for filing a 42 U.S.C. § 1983 complaint and instructions for the same. The Clerk of  
11 the Court will also send Plaintiff a copy of his complaint (ECF No. 1-1).

12 It is further ordered that the Clerk of the Court will send Plaintiff the approved form  
13 application to proceed *in forma pauperis* by an inmate, as well as the document entitled  
14 information and instructions for filing an *in forma pauperis* application.

15 It is further ordered that on or before **June 23, 2023**, Plaintiff will either pay the full  
16 \$402 filing fee or file a fully complete application to proceed *in forma pauperis* with all  
17 three required documents: (1) a completed application with the inmate's two signatures  
18 on page 3, (2) a completed financial certificate that is signed both by the inmate and the  
19 prison or jail official, and (3) a copy of the inmate's trust fund account statement for the  
20 previous six-month period.

21 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
22 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff  
23 to refile the case with the Court, under a new case number, when Plaintiff can file a  
24 complaint and a complete application to proceed *in forma pauperis* or pay the required  
25 filing fee.

26 DATED THIS 21<sup>st</sup> day of April 2023.

27 

28 UNITED STATES MAGISTRATE JUDGE